

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

99 OCT -1 PM 1:41

99-13591

HECTOR RAFAEL ALVAREZ NIEVES  
CARMEN GLORIA CRUZ MARTINEZ  
DEBTORS

\* CASE NO. 99-  
\* CHAPTER 13  
\*

**NOTICE OF FILING PETITION IN BANKRUPTCY UNDER CHAPTER 13  
AND OF AUTOMATIC STAY OF SUITS**

You are hereby notified that **HECTOR RAFAEL ALVAREZ NIEVES** and **CARMEN GLORIA CRUZ MARTINEZ** have filed a petition under Chapter 13 of Title 11, United States Code on OCT - 1 1999

Pursuant to the provisions of 11 USC §362, the filing of the petition by the above-named debtors operates as a stay of the commencement or continuation of any court or other proceeding against the debtors, of the enforcement of any judgment against them, of any act or the commencement or continuation of any court proceeding to enforce any lien on the property of the debtors, and of any court proceeding commenced for the purpose of rehabilitation of the debtors or the liquidation of their estate.

You are further notified that under Bankruptcy Act, 11 U.S.C. §1301, a creditor may not act, or commence or continue any civil action, to collect all or any part of a consumer debt of the debtors from any individual that is liable on such debt with the debtors.

This notice is sent to you by order of the United States Bankruptcy Judge.

San Juan, Puerto Rico, this

OCT - 1 1999

CELESTINO MATTA-MENDEZ, CLERK  
U.S. BANKRUPTCY COURT

By: DEPUTY CLERK



*[Handwritten signature]*

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FORM B1

**UNITED STATES BANKRUPTCY COURT  
PUERTO RICO DISTRICT OF PUERTO RICO  
PUERTO RICO DIVISION**

**Voluntary Petition**

NAME OF DEBTOR (if individual, enter Last, First Middle):

*Alvarez Nieves, Hector Rafael*

NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle):

*Cruz Martinez, Carmen Gloria*ALL OTHER NAMES USED BY THE DEBTOR IN THE LAST 6 YEARS  
(include married, maiden, and trade names):*NONE*ALL OTHER NAMES USED BY THE JOINT DEBTOR IN THE LAST 6 YEARS  
(include married, maiden, and trade names):*NONE*SOC. SEC./TAX I.D. NO. (if more than one, state all):  
*582-33-2864*SOC. SEC./TAX I.D. NO. (if more than one, state all):  
*581-85-1783*

STREET ADDRESS OF DEBTOR:

*Vistas de San Lorenzo  
calle Lirio D-4  
San Lorenzo PR**Ph:*

STREET ADDRESS OF JOINT DEBTOR:

*Vistas de San Lorenzo  
calle Lirio D-4  
San Lorenzo PR*COUNTY OF RESIDENCE OR OF THE PRINCIPAL PLACE OF BUSINESS:  
*San Lorenzo*COUNTY OF RESIDENCE OR OF THE PRINCIPAL PLACE OF BUSINESS:  
*San Lorenzo*

MAILING ADDRESS OF DEBTOR:

*PO Box 5478  
Caguas PR 00726*

MAILING ADDRESS OF JOINT DEBTOR:

*PO Box 5478  
Caguas PR 00726*

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (if different from street address above):

*NOT APPLICABLE***Information Regarding the Debtor (Check the Applicable Boxes)**

VENUE (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

TYPE OF DEBTOR (Check all boxes that apply)

- ☒ Individual(s) ☐ Railroad
- ☐ Corporation ☐ Stockbroker
- ☐ Partnership ☐ Commodity Broker
- ☐ Other \_\_\_\_\_

CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH  
THE PETITION IS FILED (Check one box)

- ☐ Chapter 7 ☐ Chapter 11 ☒ Chapter 13
- ☐ Chapter 9 ☐ Chapter 12
- ☐ Sec. 304 - Case ancillary to foreign proceeding

NATURE OF DEBTS (Check one box)

- ☒ Consumer/Non-Business ☐ Business

FILING FEE (Check one box)

- ☒ Full Filing Fee attached
- ☐ Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments.

CHAPTER 11 SMALL BUSINESS (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. §101
- ☐ Debtor is and elects to be considered a small business under 11 U.S.C. §1121(e) (Optional)

Rule 1006(b). See Official Form No. 3.

STATISTICAL/ADMINISTRATIVE INFORMATION (Estimates Only)

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

ESTIMATED NO. OF CREDITORS: ☒ 1-15ESTIMATED ASSETS (thousands): ☒ \$50,001 to \$100,000ESTIMATED DEBTS (thousands): ☒ \$50,001 to \$100,000

330852 (D)

FILED

ORDERED

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**Voluntary Petition**

(This page must be completed and filed in every case)

NAME OF DEBTOR(S):  
*Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

FORM B1, Page 2

**PRIOR BANKRUPTCY CASE FILED WITHIN LAST 6 YEARS**LOCATION WHERE FILED:  
*District of Puerto Rico*CASE NUMBER:  
*98-02292/96-06691*DATE FILED:  
*1998/1996***PENDING BANKRUPTCY CASE FILED BY ANY SPOUSE, PARTNER, OR AFFILIATE OF THE DEBTOR**NAME OF DEBTOR:  
*NONE*

CASE NUMBER:

DATE:

DISTRICT:

RELATIONSHIP:

JUDGE:

**SIGNATURES****SIGNATURE(S) OF DEBTOR(S) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, U.S. Code, understand the relief available under each such chapter and choose to proceed under chapter 7.  
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X *Hector R. Alvarez*  
Debtor: *Hector Rafael Alvarez Nieves*X *Carmen G. Cruz*  
Joint Debtor: *Carmen Gloria Cruz Martinez*  
Telephone No. (if In Pro Per):  
Date: *10/01/99***SIGNATURE OF DEBTOR (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Authorized IndividualName:  
Title:  
Date:**SIGNATURE OF ATTORNEY**X *Roberto Figueroa-Carrasquillo*  
Attorney: *Roberto Figueroa-Carrasquillo*  
Bar No.:Firm Name: *Roberto Figueroa-Carrasquillo*  
Address: *PO BOX 193677*  
*SAN JUAN PR 00919-3677*Telephone No: *(787)744-7699*  
Date: *10/01/99***SIGNATURE OF NON-ATTORNEY PETITION PREPARER**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Name:  
Social Security Number:  
Address:**EXHIBIT A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K & 10Q) with the SEC pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

[ ] Exhibit A is attached and made a part of this petition.

**EXHIBIT B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, U.S. Code, and have explained the relief available under each such chapter.

X \_\_\_\_\_  
Attorney:  
Date:

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X \_\_\_\_\_  
Signature of Preparer:  
Date:

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both.  
11 USC §110; 18 USC §156

**UNITED STATES BANKRUPTCY COURT  
FOR THE PUERTO RICO DISTRICT OF PUERTO RICO  
PUERTO RICO DIVISION**

In re *Hector Rafael Alvarez Nieves*  
and  
*Carmen Gloria Cruz Martinez*

Case No. 99-  
Chapter 13

/ Debtors

Attorney for Debtor: Roberto Figueroa-Carrasquillo

**LIST OF CREDITORS**

#	Creditor	Claim and Security	Claim Amount
1.	Banco Popular de PR Mortgage Division PO Box 70100 San Juan PR 00936-7100	Mortgage House and lot located at San Lorenzo PR	\$ 55,000.00
2.	Island Finance PO Box 610 Caguas PR 00726-0610	Consumer loan	\$ 2,000.00
3.	Roig Commercial Bank Apartado 457 Humacao PR 00661	Consumer loan	\$ 10,000.00
4.	Sallie Mae Loan Servicing PO Box 12109 Killeen TX 76547-2109	Student Loan	\$ 4,787.04
5.	Sallie Mae Loan Servicing PO Box 12109 Killeen TX 76547-2109	Student Loan	\$ 3,264.00

**UNITED STATES BANKRUPTCY COURT  
FOR THE PUERTO RICO DISTRICT OF PUERTO RICO  
PUERTO RICO DIVISION**

In re *Hector Rafael Alvarez Nieves*  
and  
*Carmen Gloria Cruz Martinez*

Case No. 99-  
Chapter 13

\_\_\_\_\_/ Debtors  
Attorney for Debtor: Roberto Figueroa-Carrasquillo

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of  
creditors is true and correct to the best of our knowledge.

Dated: 10-1-99

*Hector R. Alvarez*  
Debtor

*Carmen G. Cruz*  
Joint Debtor

**UNITED STATES BANKRUPTCY COURT  
FOR THE PUERTO RICO DISTRICT OF PUERTO RICO  
PUERTO RICO DIVISION**

In re *Hector Rafael Alvarez Nieves*  
and  
*Carmen Gloria Cruz Martinez*

Case No. 99-  
Chapter 13

/ Debtors

Attorney for Debtor: Roberto Figueroa-Carrasquillo

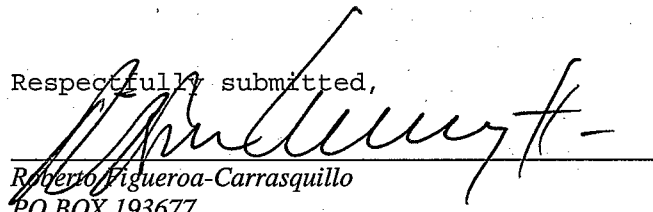
**STATEMENT Pursuant to Rule 2016(b)**

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:
  - a) For legal services rendered, or to be rendered in contemplation of  
and in connection with this case . . . . . \$ 1,100.00
  - b) Prior to the filing of this Statement, Debtor(s) has paid. . . . . 50.00
  - c) Balance Due . . . . . 1,050.00
3. The Filing Fee *has been paid*.
4. The Services rendered or to be rendered include the following:
  - a) Analysis of the financial situation, and rendering advice and assistance to the  
debtor(s) in determining whether to file a petition under Title 11, U.S.C.
  - b) Preparation and filing of the petition, schedules, statement of affairs and other  
documents required by the court.
  - c) Representation of the debtor(s) at the first meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings,  
wages and compensation for services performed, and  
*none other*.
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid  
balance remaining, if any, will be from earnings, wages and compensation for services  
performed, and *none other*.
7. The undersigned has received no transfer, assignment or pledge of property except the  
following for the value stated:  
*None*.
8. The undersigned has not shared or agreed to share with any other entity, other than  
with members of the undersigned's law firm, any compensation paid or to be paid except  
as follows: *None*.

Dated: 10/01/99

Respectfully submitted,

Attorney for Debtor:   
PO BOX 193677  
SAN JUAN PR 00919-3677

**SCHEDULE B - PERSONAL PROPERTY**

Description of Property	Location	H W J C	Market Value of Debtor's Interest Before Claim
1. Cash on hand. [x] NONE			
2. Checking, savings or other financial accounts, certificates of deposits or shares in banks, savings, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. [x] NONE			
3. Security deposits with public utilities, telephone companies, landlords, and others. [x] NONE			
4. Household goods and furnishings, including audio, video, and computer equipment. <i>One (1) stove and one (1) refrigerator</i>		J	\$ 800
<i>One (1) living and one (1) dining room sets</i>		J	\$ 800
<i>One (1) TV Set</i>		J	\$ 400
<i>One (1) bedroom set</i>		J	\$ 400
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles. [x] NONE			
6. Wearing apparel. <i>Clothing for debtors and dependents</i>		J	\$ 800
7. Furs and jewelry. [x] NONE			
8. Firearms and sports, photographic, and other hobby equipment. [x] NONE			
9. Interests in insurance policies. [x] NONE			
10. Annuities. [x] NONE			

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors Case No. 99-

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Description of Property	Location	H Market Value W of Debtor's J Interest C Before Claim
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. [x] NONE		
12. Stock and interests in incorporated and unincorporated businesses. [x] NONE		
13. Interests in partnerships or joint ventures. [x] NONE		
14. Government and corporate bonds and other negotiable and non-negotiable instruments. [x] NONE		
15. Accounts receivable. [x] NONE		
16. Alimony, maintenance, support, and property settlements, to which the debtor is or may be entitled. [x] NONE		
17. Other liquidated debts owing debtor including tax refunds. [x] NONE		
18. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule of Real Property. [x] NONE		
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust. [x] NONE		
20. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and the rights to setoff claims. [x] NONE		
21. Patents, copyrights, and other intellectual property. [x] NONE		



In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors

Case No. 99-

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Description of Property	Location	H	Market Value
		W	of Debtor's
		J	Interest
		C	Before Claim

22. Licenses, franchises, and other general intangibles.  
[x] NONE

23. Automobiles, trucks, trailers, and other vehicles and accessories.  
[x] NONE

24. Boats, motors, and accessories.  
[x] NONE

25. Aircraft and accessories.  
[x] NONE

26. Office equipment, furnishings, and supplies.  
[x] NONE

27. Machinery, fixtures, equipment, and supplies used in business.  
[x] NONE

28. Inventory.  
[x] NONE

29. Animals.  
[x] NONE

30. Crops - growing or harvested.  
[x] NONE

31. Farming equipment and implements.  
[x] NONE

32. Farm supplies, chemicals, and feed.  
[x] NONE

33. Other personal property of any kind not already listed.  
[x] NONE

Total \$ 3,200

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors

Case No. 99-

**SCHEDULE C - PROPERTY CLAIMED EXEMPT**

Debtor elects the exemptions to which debtor is entitled under:  
[x] 11 USC 522(b)(1): Exemptions provided in 11 USC 522(d).

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property w/o Deducting Exemption
<u>Real Property</u>			
<i>House and lot located at San Lorenzo PR</i>			\$ 60,000
	<i>11 USC 522(d)(1)</i>	\$ 5,000	
<u>Household goods and furnishings</u>			
<i>One (1) stove and one (1) refrigerator</i>			\$ 800
	<i>11 USC 522(d)(3)</i>	\$ 800	
<i>One (1) living and one (1) dining room sets</i>			\$ 800
	<i>11 USC 522(d)(3)</i>	\$ 800	
<i>One (1) TV Set</i>			\$ 400
	<i>11 USC 522(d)(3)</i>	\$ 400	
<i>One (1) bedroom set</i>			\$ 400
	<i>11 USC 522(d)(3)</i>	\$ 400	
<u>Wearing apparel</u>			
<i>Clothing for debtors and dependents</i>			\$ 800
	<i>11 USC 522(d)(3)</i>	\$ 800	

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors

Case No. 99-

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Creditor Name and Address	Date, Nature of Lien, Description & Value	Claim Amount	Unsecured Portion and Notes*
1. Account No. 071010011069690 Banco Popular de PR Mortgage Division PO Box 70100 San Juan PR 00936-7100	Mortgage House and lot located at San Lorenzo PR Value: \$ 60,000.00	\$ 55,000.00	\$ 0.00 *Joint Debt

No continuation sheets attached

Subtotal: \$ 55,000.00  
Total: \$ 55,000.00

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

[X] Debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS**

[ ] **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. §507(a)(2).

[ ] **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4300\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. §507(a)(3).

[ ] **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. §507(a)(4).

[ ] **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4300\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. §507(a)(5).

[ ] **Deposits by individuals**

Claims of individuals up to \$1950\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. §507(a)(6).

[ ] **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance or support, to the extent provided in 11 U.S.C. §507(a)(7).

[ ] **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. §507(a)(8).

[ ] **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. §507(a)(9).

\* Amounts are subject to adjustment on April 1, 2001, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors Case No. 99-

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

Creditor Name and Address	Date Claim was Incurred Consideration for Claim	Claim Amount and Notes*
1. Account No. 5052080830 Island Finance PO Box 610 Caguas PR 00726-0610	Consumer loan	\$ 2,000.00 *Joint Debt
2. Account No. 8000028095 Roig Commercial Bank Apartado 457 Humacao PR 00661	Consumer loan	\$ 10,000.00 *Joint Debt
3. Account No. 581-85-1783 1 Sallie Mae Loan Servicing PO Box 12109 Killeen TX 76547-2109	Student Loan	\$ 3,264.00 *Joint Debt
4. Account No. 582-33-2864 Sallie Mae Loan Servicing PO Box 12109 Killeen TX 76547-2109	Student Loan	\$ 4,787.04 *Joint Debt
United Student Aid Funds PO box 6138 Indianapolis IN 46206-6138	Representing: Sallie Mae Loan Servicing	
5. Account No. 9585212112529 Sears Roebuck PO Box 71204 San Juan PR 00936	Credit card purchases	\$ 809.40 *Joint Debt

No continuation sheets attached

Subtotal: \$ 20,860.44  
Total: \$ 20,860.44

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors

Case No. 99-

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Name and Address of Other Parties to Instrument	Notes of Contract or Lease and Debtor's Interest
--	---

☒ No executory contracts or unexpired leases.

In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors

Case No. 99-

**SCHEDULE H - CODEBTORS**

Name and Address  
of Codebtor

Name and Address  
of Creditor

☒ Debtor has no codebtors.

In re: Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez

/ Debtors

Case No. 99-

**SCHEDULE I-CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

DEBTOR'S MARITAL STATUS: *Married*

DEPENDENTS OF DEBTOR AND SPOUSE:

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Alejandra Alvarez Cruz	3y	daughter
Talia Alvarez Cruz	1y	daughter

EMPLOYMENT:

	<u>DEBTOR</u>	<u>SPOUSE</u>
Occupation:	General	General
Name of Employer:	Caribbean Temporary Services	Me Salve
How Long Employed:		
Employer Address:		Rio Piedras

INCOME:

	<u>DEBTOR</u>	<u>SPOUSE</u>
Current monthly gross wages, salary, and commissions	\$ 1,035.14	\$ 1,142.61
Estimated monthly overtime	\$ 0.00	\$ 0.00
<u>SUBTOTAL</u>	\$ 1,035.14	\$ 1,142.61
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ 157.81	\$ 172.40
b. Insurance	\$ 0.00	\$ 0.00
c. Union dues	\$ 0.00	\$ 0.00
d. Other:	\$ 0.00	\$ 0.00
<u>SUBTOTAL OF PAYROLL DEDUCTIONS</u>	\$ 157.81	\$ 172.40
<u>TOTAL NET MONTHLY TAKE HOME PAY</u>	\$ 877.33	\$ 970.21

Regular income from operation of business or profession or farm (attach detailed statement)	\$ 0.00	\$ 0.00
Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
Social security or other government assistance	\$ 0.00	\$ 0.00
Pension or retirement income	\$ 0.00	\$ 0.00
Other monthly income	\$ 0.00	\$ 0.00
<u>TOTAL MONTHLY INCOME</u>	\$ 877.33	\$ 970.21
<u>TOTAL COMBINED MONTHLY INCOME</u>	\$ 1,847.54	

Describe any increase or decrease of more than 10% in any of the above categories  
anticipated to occur within the year following the filing of this document:

NONE



In re: *Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez*

/ Debtors Case No. 99-

**SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

[ ] Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$	324.00
Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Utilities: Electricity and heating fuel	\$	78.54
Water and sewer	\$	45.00
Telephone	\$	50.00
Other	\$	0.00
Home maintenance (repairs and upkeep)	\$	20.00
Food	\$	500.00
Clothing	\$	65.00
Laundry and Dry cleaning	\$	25.00
Medical and Dental expenses	\$	50.00
Transportation (not including car payments)	\$	95.00
Recreation, clubs, and entertainment, newspaper, magazines, etc.	\$	50.00
Charitable contributions	\$	20.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	0.00
Life	\$	0.00
Health	\$	0.00
Auto	\$	0.00
Other	\$	0.00
Taxes (not deducted from wages or included in home mortgages)	\$	0.00
Installment payments: (Do not list payments to be included in the plan)		
Auto	\$	0.00
Other	\$	0.00
Alimony, maintenance, and support paid to others	\$	0.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
Other Lunch at work for both debtors	\$	240.00
Barber and beauty salon	\$	35.00
Child day care	\$	150.00
<b>TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)</b>	<b>\$</b>	<b>1,747.54</b>

**FOR CHAPTER 12 AND 13 DEBTORS ONLY**

A. Total projected monthly income	\$	1,847.54
B. Total projected monthly expenses	\$	1,747.54
C. Excess income (A minus B)	\$	100.00
D. Total amount to be paid into plan Monthly	\$	100.00

In re: Hector Rafael Alvarez Nieves and  
Carmen Gloria Cruz Martinez

/ Debtors

Case No. 99-

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing Summary and Schedules, consisting of 13 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date 10/01/99

Signature

Hector R. Alvarez  
Hector Rafael Alvarez Nieves, Debtor

Date 10/01/99

Signature

Carmen G. Cruz  
Carmen Gloria Cruz Martinez, Joint Debtor

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. SS 152 and 3571.

**UNITED STATES BANKRUPTCY COURT  
FOR THE PUERTO RICO DISTRICT OF PUERTO RICO  
PUERTO RICO DIVISION**

In re *Hector Rafael Alvarez Nieves*  
and  
*Carmen Gloria Cruz Martinez*

Case No. 99-  
Chapter 13

/ Debtors

Attorney for Debtor: Roberto Figueroa-Carrasquillo

**STATEMENT OF FINANCIAL AFFAIRS**

1. Income from Employment or Operation of Business.

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this case calendar year.

*Income from husband*

Income, year to date: \$ 7,500.00  
Last year: \$10,712.00  
Year before: \$10,712.00  
Source(s): *Income from employment*

*Income from wife*

Income, year to date: \$10,700.00  
Last year: \$14,300.00  
Year before: \$14,300.00  
Source(s): *Income from employment*

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2. Income other than from Employment or Operation of Business.

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case.

[X] None

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3. Payments to Creditors.

a. List all payments on loans, installments, purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case.

☒ None

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b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders.

☒ None

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4. Suits and Administrative Proceedings, Executions, Garnishments and Attachments.

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case.

☒ None

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b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case.

☒ None

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5. Repossessions, Foreclosures and Returns.

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case.

☒ None

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6. Assignments and Receiverships.

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case.

☒ None

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b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case.

☒ None

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7. Gifts.

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient.

☒ None

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8. Losses.

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case.

☒ None

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9. Payments Related to Debt Counseling or Bankruptcy.

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

Payee: *Roberto Figueroa-Carrasquillo*  
Address: *PO BOX 193677*  
Addr2: *SAN JUAN PR 00919-3677*  
Date of payment: *02/19/98*  
Payor: *Hector Rafael Alvarez Nieves*  
Payment/Value: *\$ 50.00*

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10. Other Transfers.

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as a security within one year immediately preceding the commencement of this case.

☒ None

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11. Closed Financial Accounts.

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions.

☒ None

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12. Safe Deposit Boxes.

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case.

☒ None

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13. Setoffs.

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case.

☒ None

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14. Property held for Another Person.

List all property owned by another person that the debtor holds or controls.

☒ None

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15. Prior Address of Debtor.

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case.

☒ None

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16. Nature, Location and Name of Business.

a. If the debtor is an individual, list the names and addresses of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was self-employed professional within the two years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the two years immediately preceding the commencement of this case.

b. If the debtor is a partnership, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within two years immediately preceding the commencement of this case.

c. If the debtor is a corporation, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities within two years immediately preceding the commencement of this case.

☒ None

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17. Books, records and financial statements.

a. List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised keeping of books of account and records of the debtor.

☒ None

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b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

☒ None

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c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

☒ None

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d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within two years immediately preceding the commencement of this case by the debtor.

☒ None

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18. Inventories.

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

☒ None

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b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

☒ None

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19. Current Partners, Officers, Directors and Shareholders.

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

☒ None

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b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

☒ None

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20. Former partners, officers, directors and shareholders.

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

☒ None

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b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

☒ None

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21. Withdrawals from a Partnership or Distributions by a Corporation.

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

☒ None

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DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing Statement of Financial Affairs and any attachments thereto and that they are true and correct.

Date 10/01/99

Signature

Hector R. Alvarez  
Hector Rafael Alvarez Nieves, Debtor

Date 10/01/99

Signature

Carmen G. Cruz  
Carmen Gloria Cruz Martinez, Joint Debtor

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. SS 152 and 3571.

Hector Rafael Alvarez Nieves  
Carmen Gloria Cruz Martinez  
PO Box 5478  
Caguas PR 00726

99-13591

Roberto Figueroa-Carrasquillo  
PO BOX 193677  
SAN JUAN PR 00919-3677

Banco Popular de PR  
Mortgage Division  
PO Box 70100  
San Juan PR 00936-7100

Island Finance  
PO Box 610  
Caguas PR 00726-0610

Roig Commercial Bank  
Apartado 457  
Humacao PR 00661

Sallie Mae Loan Servicing  
PO Box 12109  
Killeen TX 76547-2109

United Student Aid Funds  
PO box 6138  
Indianapolis IN 46206-6138

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

HECTOR RAFAEL ALVAREZ NIEVES  
CARMEN GLORIA CRUZ MARTINEZ  
DEBTOR

\* CASE NO. 99-13591

\* CHAPTER 13  
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**NOTICE TO DEBTOR FILING A PETITION IN BANKRUPTCY**

*Upon the filing of the instant petition, the items checked were not submitted:*

- ( ) Signature (Upon filing)
- ( ) Master Address List (Upon filing)
- ( ) List of Creditors (Upon filing)
- ( ) Employer ID Number and/or Social Security Number (Upon filing)
- ( ) Debtor's Attorney Disclosure Compensation Statement (Upon filing)
- ( ) Chapter 13 Plan (15 days)
- ( ) Schedules (15 days)
- ( ) Statement of Affairs (15 days)

*You are hereby notified that upon failure to file the above indicated documents within the prescribed period of time specified herein, the Court may enter an order of dismissal without further notice or hearing.*

San Juan, Puerto Rico, this OCT - 1 1999.

BY ORDER OF THE COURT

CELESTINO MATTA-MENDEZ  
Clerk of the Court

BY:   
DEPUTY CLERK